

Exhibit "C"

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

LEONIDES ROSARIO, et al., :
Plaintiffs : Civil Action
vs. : No. 02-CV-3025
SCM GROUP USA, INC., :
Defendant :

ORIGINAL

LEONIDES ROSARIO, et al., :
Plaintiffs : Civil Action
vs. : No. 03-CV-0761
SCM GROUP, Sp.A., :
Defendant :

December 8, 2003

Oral deposition of WOLODYMYR WYNIAWSKYJ,
taken pursuant to notice, was held at 124
Earland Drive, New Holland, Pennsylvania, 17557,
beginning at 3:59 p.m., on the above date,
before Lori A. Shuey, an Approved Registered
Professional Reporter and Notary Public in
and for the Commonwealth of Pennsylvania.

ESQUIRE DEPOSITION SERVICES

15th Floor

1880 John F. Kennedy Boulevard
Philadelphia, Pennsylvania 19103
(215) 988-9191

1 Q. Is it removable?

2 A. Yes.

3 Q. Was it on the curve shaper at the
4 time of the accident?

5 A. I can't say for sure, but I don't
6 think it was.

7 Q. What was company policy about --
8 with respect to the use of that guard as of the time
9 of Mr. Rosario's accident?

10 A. As far as I know, the guard had to
11 be in place. I believe at that time it was a fairly
12 new guard, and I know a lot of people didn't like
13 it.

14 Q. Was there some other guard that
15 was used before it?

16 A. No.

17 Q. Do you know who came up with that
18 particular design?

19 A. I can't say for sure, but I would
20 have to probably think it was Dean Yount, our
21 engineer.

22 Q. What didn't people like about it?

23 A. Well, I personally don't like it
24 because I like to see when my piece is going into

1 believe he might have did the training.

2 MR. SWEENEY: Can you spell his
3 name? Titolu?

4 THE WITNESS: Yes. T-i-t-o-l-u.
5 I'm not sure what his last name is.

6 BY MR. VOTER:

7 Q. Do you see in Photograph B on
8 Exhibit 6, is that -- is the layout of the machine,
9 the table to the right, the roller table to the
10 left, and the racks that hold the patterns, is that
11 basically the same in that picture as it was at the
12 time of Mr. Rosario's accident, or do you see things
13 that have been changed?

14 A. I believe it's the same.

15 Q. As the supervisor in that
16 department as of that time, meaning Mr. Rosario's
17 accident, if you saw Mr. Rosario or somebody else
18 using the curve shaper without the cylinder guard,
19 what would you have done?

20 A. I did tell them they had to use
21 it, but like anybody else, if you -- I felt if you
22 didn't feel comfortable with it, it was more or less
23 up to you, but I would tell them they had to use it.
24 If they did or not, I wasn't around all the time. I